

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN)
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This document relates to:

*Jessica DeRubbio, et al. v. Islamic Republic of Iran*, No. 1:18-cv-05306 (GBD) (SN)  
*Bakahityar Kamardinova, et al. v. Islamic Republic of Iran*, No. 1:18-cv-05339 (GBD) (SN)  
*Gordon Aamoth, Sr., et al. v. Islamic Republic of Iran*, No. 1:18-cv-12276 (GBD) (SN)  
*Matthew Rowenhorst, et al. v. Islamic Republic of Iran*, No. 1:18-cv-12387 (GBD) (SN)  
*BNY Mellon, et al. v. Islamic Republic of Iran*, No. 1:19-cv-11767 (GBD) (SN)  
*Deborah Bodner, et al. v. Islamic Republic of Iran*, No. 1:19-cv-11776 (GBD) (SN)  
*Ber Barry Aron, et al. v. Islamic Republic of Iran*, No. 1:20-cv-09376 (GBD) (SN)  
*Jeanmarie Hargrave, et al. v. Islamic Republic of Iran*, No. 1:20-cv-09387 (GBD) (SN)  
*Paul Asaro, et al. v. Islamic Republic of Iran*, No. 1:20-cv-10460 (GBD) (SN)  
*Michael Bianco, et al. v. Islamic Republic of Iran*, No. 1:20-cv-10902 (GBD) (SN)  
*Nicole Amato, et al. v. Islamic Republic of Iran*, No. 1:21-cv-10239 (GBD) (SN)

**PLAINTIFFS' NOTICE OF MOTION FOR JUDGMENTS BY DEFAULT FOR *AMATO*  
PLAINTIFFS AGAINST DEFENDANT AS TO LIABILITY AND FOR PARTIAL FINAL  
JUDGMENTS FOR DAMAGES ON BEHALF OF THE PLAINTIFFS IDENTIFIED IN  
EXHIBITS A AND EXHIBITS B**

PLEASE TAKE NOTICE that upon the supporting Memorandum of Law and the Declaration of Jerry S. Goldman, Esq. ("Goldman Declaration"), with the exhibits attached thereto, and the exhibits submitted with access restricted to the Court pursuant to the May 5, 2022 Order, ECF No. 7963, pertaining to expert reports submitted in support of default judgments, all of the Plaintiffs in *Nicole Amato, et al. v. Islamic Republic of Iran*, No. 1:21-cv-10239 (GBD) (SN), by and through their counsel, Anderson Kill P.C., respectfully move the Court for an ORDER granting Plaintiffs' motion for entry of default judgment against the Defendant Islamic Republic of Iran ("Iran") as to liability; AND

PLEASE TAKE FURTHER NOTICE that upon the supporting Memorandum of Law and the Goldman Declaration, all of the Plaintiffs in *Nicole Amato, et al. v. Islamic Republic of Iran*, No. 1:21-cv-10239 (GBD) (SN), by and through their counsel, Anderson Kill P.C.,

respectfully move the Court for an ORDER determining that service of process was properly effected upon Iran in accordance with 28 U.S.C. § 1608(a) for sovereign defendants and 28 U.S.C. § 1608(b) for agencies and instrumentalities of sovereign defendants; AND

PLEASE TAKE FURTHER NOTICE that upon the supporting Memorandum of Law and the Goldman Declaration, certain of the plaintiffs in the above-captioned matters who are identified in annexed Exhibits A-1 to A-7 (collectively, “Exhibits A”) and annexed Exhibit B-1 to B-8 (collectively, “Exhibits B”) to the Goldman Declaration, by and through their counsel, Anderson Kill P.C., respectfully move this Court for an ORDER:

(1) determining that service of process was properly effected upon Iran in accordance with 28 U.S.C. § 1608(a) for sovereign defendants and 28 U.S.C. § 1608(b) for agencies and instrumentalities of sovereign defendants;<sup>1</sup> AND,

(2) awarding the Plaintiffs identified in annexed Exhibits A judgments against Iran as to damages in the same amounts previously awarded by this Court to various similarly situated plaintiffs in *Burnett*, *Havlish*, *Ashton*, *Bauer*, *O’Neill*, and other cases; AND,

(3) awarding solatium damages to those Plaintiffs identified in Exhibits A in the amounts of \$12,500,000 per spouse, \$8,500,000 per parent, \$8,500,000 per child, and \$4,250,000 per sibling, as set forth in annexed Exhibits A; AND,

(4) awarding the estates of the 9/11 decedents, through the personal representatives and on behalf of all survivors and all legally entitled beneficiaries and family member of such 9/11 decedents, as identified by the Plaintiffs set forth in annexed Exhibits B, compensatory damages for pain and suffering in the same per estate amount

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<sup>1</sup> This only applies for the plaintiffs in this motion in the above-referenced 2018 matters, and for all plaintiffs in *Nicole Amato, et al. v. Islamic Republic of Iran*, No. 1:21-cv-10239 (GBD) (SN).

previously awarded by this Court regarding other estates of decedents killed in the September 11<sup>th</sup> attacks, as set forth in Exhibits B; AND,

(5) awarding compensatory damages to certain Plaintiffs identified in Exhibits B for decedents' pain and suffering in an amount of \$2,000,000 per estate, as set forth in annexed Exhibits B; AND,

(6) awarding the estates of the 9/11 decedents, through their personal representatives and on behalf of all survivors and all legally entitled beneficiaries and family member of such 9/11 decedent, as identified in annexed Exhibits B, an award of economic damages in the amount as set forth in annexed Exhibits B; AND,

(7) awarding the Plaintiffs identified in annexed Exhibits A and Exhibits B prejudgment interest at the rate of 4.96 percent per annum, compounded annually for the period from September 11, 2001 until the date of the judgment for damages; AND,

(8) granting the Plaintiffs identified in annexed Exhibits A and Exhibits B permission to seek punitive damages, economic damages, and other appropriate damages, at a later date; AND,

(9) granting permission for all other Plaintiffs in these actions not appearing in annexed Exhibits A and Exhibits B to submit applications for damages awards in later stages, to the extent such awards have not previously been addressed; AND,

(10) granting to the Plaintiffs in annexed Exhibits A and Exhibits B such other and further relief as this Honorable Court deems just and proper.

Plaintiffs' request is made in connection with the judgments on default as to liability entered against Iran as follows:

CASE NAME	CASE NO.	DATE MOTION FOR LIABILITY WAS GRANTED	ECF NO. FOR MOTION FOR LIABILITY THAT WAS GRANTED
<i>Jessica DeRubbio, et al. v. Islamic Republic of Iran</i>	No. 1:18-cv-05306 (GBD) (SN)	05/28/2019	ECF No. 4563
<i>Bakahityar Kamardinova, et al. v. Islamic Republic of Iran</i>	No. 1:18-cv-05339 (GBD) (SN)	06/21/2019	ECF No. 4596
<i>Gordon Aamoth, Sr., et al. v. Islamic Republic of Iran</i>	No. 1:18-cv-12276 (GBD) (SN)	09/03/2019	ECF No. 5050
<i>Matthew Rowenhorst, et al. v. Islamic Republic of Iran</i>	No. 1:18-cv-12387 (GBD) (SN)	09/03/2019	ECF No. 5053
<i>BNY Mellon, et al. v. Islamic Republic of Iran</i>	No. 1:19-cv-11767 (GBD) (SN)	01/04/2022	ECF No. 7522
<i>Deborah Bodner, et al. v. Islamic Republic of Iran</i>	No. 1:19-cv-11776 (GBD) (SN)	01/04/2022	ECF No. 7522
<i>Ber Barry Aron, et al. v. Islamic Republic of Iran</i>	No. 1:20-cv-09376 (GBD) (SN)	01/04/2022	ECF No. 7522
<i>Jeanmarie Hargrave, et al. v. Islamic Republic of Iran</i>	No. 1:20-cv-09387 (GBD) (SN)	01/04/2022	ECF No. 7522
<i>Paul Asaro, et al. v. Islamic Republic of Iran</i>	No. 1:20-cv-10460 (GBD) (SN)	01/04/2022	ECF No. 7522
<i>Michael Bianco, et al. v. Islamic Republic of Iran</i>	No. 1:20-cv-10902 (GBD) (SN)	01/04/2022	ECF No. 7522

Dated: New York, New York  
August 31, 2022

Respectfully submitted,

/s/ Jerry S. Goldman

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